

REMARKS

Claims 5-24 remain pending in the present application. Claims 5, 14, and 23 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

The undersigned attorney would like to thank Examiner Lorence for courtesies extended to him during the personal interview on October 1, 2007. During the interview, the above claims were discussed. The differences between Radev and the present claims were pointed out. The claims are directed to a brake system that controls a plurality of wheel brake cylinders that are each associated with respective one of the vehicle wheels. Radev, on the other hand, teaches braking of a shaft that transmits torque to two wheels.

CLAIM REJECTIONS UNDER 35 U.S.C. §112

The Examiner has rejected Claims 5-13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention.

Applicant has amended Claim 5 in an attempt to overcome the Examiner's 35 U.S.C. §112 rejection. Accordingly, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §112 rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

The Examiner has rejected Claims 1-24 under 35 U.S.C. §102(b) as being anticipated by Radev (U.S. Patent No. 6,005,358)

Claim 5 has been amended. Claim 5 further defines that the brake system includes a plurality of wheel brake cylinders each associated with a respective one of the plurality of wheels. The control system includes a master cylinder, first actuator, and a second actuator. A controller selectively actuates the first actuator to enable hydraulic communication between the master cylinder and the plurality of wheel brake cylinders to control the plurality of wheel brake cylinders associated with a respective one of the vehicle wheels.

Radev, as was pointed out at the interview, relates to a system which breaks an electric engine. The braking of the electric engine reduces the speed of the shaft which, in turn, reduces the speed of the wheels. As was pointed out in Radev, the system is a secondary system for braking in case the primary surface braking system of the vehicle fails. (See column 8, lines 47-52). Accordingly, Radev is not directed to braking of the wheel brake cylinders associated with a respective wheel as claimed by Applicant.

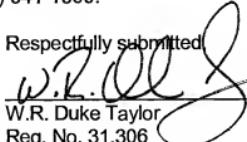
Accordingly, Applicant believes Claims 5 and 6-13, which depend from Claim 5, to be patentably distinct over the art cited by the Examiner.

Independent Claim 14 has been amended. Independent Claim 14 has been patterned after Claim 1. Accordingly, the remarks with respect to Claim 1 equally apply to Claim 14. Thus, Applicant believes Claim 14 and dependent Claims 15-22 to be patentably distinct over the art cited by the Examiner.

Independent Claim 23 has been amended. Independent Claim 23 has been patterned after Claim 5. Accordingly, the remarks with respect to Claim 5 equally apply to Claim 23. Thus, Applicant believes Claims 23 and 24 to be patentably distinct over the art cited by the Examiner.

In light of the above amendments and remarks, Applicant would submit that all pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at his earliest possible convenience. Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted


W.R. Duke Taylor
Reg. No. 31,306
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

Date: October 15, 2007
WRDT/lkj